

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW LANCASTER, JEFFERY MILLS,  
DEXTER WILLIAMS, WILLIAM DENNIS,  
STEVE LIVADITIS, JIMMY VAN PELT, H. LEE  
HEISHMAN III AND JOHNATON GEORGE,

Plaintiffs,

v.

JAMES E. TILTON, Acting Secretary, California  
Department of Corrections and Rehabilitation, and  
ROBERT L. AYERS, JR., Acting Warden, San  
Quentin State Prison,

Defendants.

No. C 79-01630 WHA

**CLARIFICATION OF  
DECEMBER 21 ORDER  
AND REQUEST FOR  
PHOTOS AND  
SUBMISSIONS**

The Court has received defendants' request for clarification regarding the December 21 order. While the Constitution does require outdoor exercise, it is unclear on the present record whether or not there is a current and ongoing violation of this right. In addition to the other issues, both sides should address during the evidentiary hearing the issue of whether there is any such current and ongoing violation regarding outdoor exercise. The declarations submitted before the hearing should do likewise.

Both parties should try to include representative photographs on all issues to be heard at the evidentiary hearing and a map of Death Row from which the photographs were taken.

Dated: December 27, 2007.

  
\_\_\_\_\_  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE